

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

2014 SEP 26 PM 3: 05

UNITED STATES OF AMERICA

v.

SEAN D. MURPHY

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
EAST. DIV. COLUMBUS

No. 2:11-CR-10(1)  
JUDGE SMITH

**AFFIDAVIT OF SEAN D. MURPHY IN SUPPORT OF  
MOTION FOR NEW TRIAL**

I, Sean D. Murphy, depose and say on oath;

1. I am the Defendant in the above-entitled matter and I make this affidavit in support of my Motion for New Trial.
2. I requested the Court for funds for an investigator to investigate matters needed for trial.
3. I had to file multiple requests to the Court to obtain \$5,000 for an investigator.
4. After the Court granted me \$5,000 for an investigator, I met with Private Investigator Gary Phillips and Attorney David Graeff at Delaware County Jail. I gave written instructions to PI Gary Phillips on the matters I needed him to investigate.
5. David Graeff told me that he told PI Phillips to stop investigating weeks before the trial began.
6. David Graeff did not tell me he told PI Phillips to stop investigating until [after] the jury was picked and on the eve of opening arguments.
7. David Graeff told me he did not know what he was going to do for a defense on the eve of opening arguments and begged me to plead guilty.
8. When I was cross-examining Robert Doucette at trial about staying at a Hotel in western Pennsylvania on Sunday January 18, 2009, AUSA Sal Dominguez got extremely mad and jotted down something on a piece of paper, ripped the paper off and handed it to SA Harry Trombitas, when Robert Doucette denied staying at a Hotel on Sunday January 18, 2009.
9. The Government did not give me Robert Doucette's recorded statement at any time prior to, or during trial.

10. I asked Attorney David Graeff if the Government gave him Robert Doucette's recorded statement and he said "no".
11. I stayed at the Comfort Inn in Mars PA, on January 16 and 18, 2009, with Joseph Morgan and Robert Doucette.
12. Robert Doucette's nickname is "Bogart". Joseph Morgan's nickname is "JoMo". Joseph Morgan's alias is John Lynch.

Further, Sean D. Murphy, sayeth naught.

  
Sean D. Murphy

NOTARY ATTEST:

Sworn to before me and in my presence this 8 day of  
Sep, 2014.



  
Notary Public

My Commission expires: 5/8/2020

